

AN ORDINANCE

99756

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE WITTE MUSEUM FOR THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$150,000.00 FROM 2003-2007 PARK BOND FUNDS TO PROVIDE FUNDING FOR A MASTER PLAN TO INCORPORATE PIONEER HALL INTO THE OVERALL PLAN FOR THE WITTE MUSEUM AND FOR GENERAL BUILDING IMPROVEMENTS TO PIONEER HALL; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the San Antonio Museum Association, doing business as The Witte Museum is a non-profit organization dedicated to providing a natural science and history museum to the citizens of San Antonio and to visitors to the City of San Antonio; and

WHEREAS, a ten-year lease agreement for operation of the museum on park property was passed and approved by City Council in Ordinance 86520 on August 28, 1997; and

WHEREAS, adjacent to the Witte Museum is Pioneer Hall, operated by the Pioneers, Trail Drivers and Former Texas Rangers, Inc., which is dedicated as a memorial to Texas pioneers, trail drivers and Texas Rangers, as mandated by a 1936 agreement with the State of Texas; and

WHEREAS, on May 29, 2003, Ordinance 97698 approved Amendment No. 1 to the Witte Museum's agreement, which increased its lease space to include the Pioneer Hall and required that specific improvements be made to Pioneer Hall; and

WHEREAS, the 2003 Bond Issue approved the use of \$150,000.00 in Park Bond Funds to assist the Witte Museum toward their development of the Pioneer Hall; and

WHEREAS, it is now necessary to authorize the execution of a Bond Funding Contract with the Witte Museum for their use of Bond Funds to improve Pioneer Hall; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City Manager or her designee is hereby authorized to execute the Bond Funding Contract in an amount not to exceed \$150,000.00 with the San Antonio Museum Association, doing business as The Witte Museum. A copy of said agreement, in substantially correct form, is affixed hereto and incorporated herein for all purposes as Attachment I.

Section 2. The amount of \$150,000.00 is appropriated in fund 45-804053, 2003 Park Bonds, in index code 942995, entitled Trf To 45-094053 Witte Museum. The amount of \$150,000.00 is authorized to be transferred from fund 45-804053 to fund 45-094053.

Section 3. The budget in fund 45-094053, General Obligation Capital Projects, shall be revised by increasing index code 148833, entitled Trf Fr 45-804053, by the amount of \$150,000.00.

Section 4. The amount of \$150,000.00 is appropriated in fund 45-094053, General Obligation Capital Projects, in index code 645796, entitled Witte Master Plan, and is authorized to be encumbered and made payable to the Witte Museum in connection with the Witte Museum And Pioneer Hall Improvements project.

Section 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

Section 6. This ordinance shall become effective on and after October 3, 2004.

PASSED AND APPROVED this 23rd day of September, 2004.



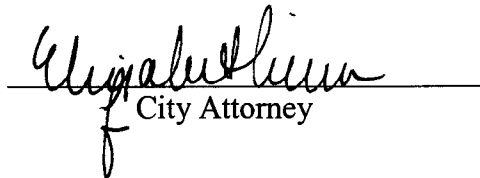
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney